



PATENT
Customer No. 22,852
Attorney Docket No. 2021.0066-02
X-11230 N US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Jing WU et al.) Group Art Unit: 1624
)
Application No.: 10/733,877) Examiner: Bruck Kifle, Ph.D.
)
Filed: December 12, 2003)
) Confirmation No.: 8138
)
For: CYCLOALKYL, LACTAM,)
LACTONE AND RELATED)
COMPOUNDS,)
PHARMACEUTICAL)
COMPOSITION COMPRISING)
SAME, AND METHODS FOR)
INHIBITING β -AMYLOID PEPTIDE)
RELEASE AND/OR ITS)
SYNTHESIS BY USE OF SUCH)
COMPOUNDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

The Restriction Requirement dated February 10, 2005, stated that claims 91-118 were generic to a plurality of disclosed patentably distinct species comprising compounds of formula IB and pharmaceutical compositions comprising compounds of formula IA, and therefore, an election of species was required to provide for specific values of the ring formed by W, together with $-C(H)_pC(=X)$, or Q.

In response to this requirement, Applicants elect the following ring system:

W, together with $-C(H)_pC(=X)$, forms a heterocycle optionally fused to form a bi- or multi-fused ring system of 1 to 2 aryl rings, X is oxo, and $p=1$.

Applicants submit that the above election is sufficient to respond to the election of species requirement set forth in the Office Action insofar as this election provides specific values for the ring formed by W, together with $-C(H)_pC(=X)$.

If a specific compound is required to be responsive to this election of species requirement, then Applicants elect the following species: 1-(N'-(3,5-difluorophenyl-acetyl)-L-alaninyl)amino-3-methyl-1,3,4,5-tetrahydro-2H-3-benzazepin-2-one. This compound is disclosed on page 112, Table 6-1 and is exemplified in Example 6-1 on page 284.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 11, 2005
(July 10th being a Sunday)

By: 

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